

PATENT COOPERATION TREATY

PCT**INTERNATIONAL SEARCH REPORT**

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 90516PRC	FOR FURTHER ACTION	see Form PCT/ISA/220 as well as, where applicable, item 5 below.
International application No. PCT/US2005/014219	International filing date (day/month/year) 26/04/2005	(Earliest) Priority Date (day/month/year) 26/04/2004
Applicant EASTMAN KODAK COMPANY		

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 7 sheets.

It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the report

a. With regard to the **language**, the international search was carried out on the basis of:

- the international application in the language in which it was filed
 a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b))

b. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, see Box No. I.

2. Certain claims were found unsearchable (See Box No. II)

3. Unity of invention is lacking (see Box No III)

4. With regard to the **title**,

- the text is approved as submitted by the applicant
 the text has been established by this Authority to read as follows:

5. With regard to the **abstract**,

- the text is approved as submitted by the applicant
 the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority

6. With regard to the **drawings**,

a. the figure of the **drawings** to be published with the abstract is Figure No. 2

- as suggested by the applicant
 as selected by this Authority, because the applicant failed to suggest a figure
 as selected by this Authority, because this figure better characterizes the invention

b. none of the figures is to be published with the abstract

INTERNATIONAL SEARCH REPORT

International application No
PCT/US2005/014219

A. CLASSIFICATION OF SUBJECT MATTER
H04N5/232

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)
H04N G02B G06T

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, PAJ, WPI Data, INSPEC

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 5 915 047 A (MURAMOTO ET AL) 22 June 1999 (1999-06-22) the whole document -----	1,8
X	US 4 930 861 A (OKABE ET AL) 5 June 1990 (1990-06-05) columns 1,2,12 -----	1,8
A	EP 0 732 846 A (YAMADA, YOSHIRO) 18 September 1996 (1996-09-18) pages 2,3,4 -----	1,8
A	US 2004/036792 A1 (MORIYA CHIKATSU ET AL) 26 February 2004 (2004-02-26) the whole document ----- -/-	1,8

Further documents are listed in the continuation of Box C.

See patent family annex.

* Special categories of cited documents :

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.

& document member of the same patent family

Date of the actual completion of the international search

29 March 2006

Date of mailing of the international search report

06/04/2006

Name and mailing address of the ISA/

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International application No
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C(Continuation). DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	JP 63 102589 A (FUJI PHOTO FILM CO LTD) 7 May 1988 (1988-05-07) the whole document -----	1,8
X	JP 04 339489 A (MATSUSHITA ELECTRIC IND CO LTD) 26 November 1992 (1992-11-26) the whole document -----	1,8

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box II.2

Claims Nos.: 2-7

The dependent claims 2-7 are unclear to such an extent that it cannot be established whether the prior art falls within the scope of the claims. It can neither be recognized at the time being how this severe lack of clarity can be overcome without infringing Art. 19(2) and 34(2)(b), PCT. It is therefore concluded that no meaningful search is possible. As a consequence the they are not searched. The reason is the dependent claims inherit severe unclarity features from claim 1 and moreover that they partly add even more unclear expressions.

The claim 1 is a severe accumulation of severe unclarities. Especially the features related to lines 10-21 of claim 1 are unclear (according to Art. 6, PCT) to such an extent that it cannot be determined whether they are disclosed by the prior art or not. It can neither be recognized at the time being how this severe lack of clarity can be overcome without infringing Art. 19(2) and 34(2)(b), PCT. A meaningful search can therefore neither be conducted for these features nor for depending claims which are based on claim 1. As a consequence, the related features are not searched (refer to Art. 17(2)(a)(ii) and (b), PCT).

The search was therefore limited to the following interpretation of claim 1 or 8, respectively.

An image capture focal length determining method, comprising the steps of:
acquiring a plurality of image data while changing focal length of an optical system;
acquiring, from the acquired plurality of image data,
high frequency component [...] values,
[...]
and low frequency component [...] values,
[...]
being [...] lower than the high frequency
calculating a first focal length using [...] a peak value of the frequency spectrum of the image signal in range of the high frequency component values.
detecting whether or not there is a moire in image data of this first focal length;
making the first focal length an image capture focal length if there is no moire in the image data of the first focal length;
and when there is moire in the image data of the first focal length,
[...]
selecting an image capture focal length in some range of possible focal length.

The applicant's attention is drawn to the fact that claims relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure. If the application proceeds into the regional phase before the EPO, the applicant is reminded that a search may be carried out during examination before the EPO (see EPO Guideline C-VI, 8.5), should the problems which led to the Article 17(2) declaration be overcome.

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Box II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. Claims Nos.: because they relate to subject matter not required to be searched by this Authority, namely:

2. Claims Nos.: 2-7 because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:
see FURTHER INFORMATION sheet PCT/ISA/210

3. Claims Nos.: because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.

2. As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.

3. As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:

4. No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- The additional search fees were accompanied by the applicant's protest.
- No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

Information on patent family members

International application No PCT/US2005/014219

Patent document cited in search report		Publication date		Patent family member(s)		Publication date
US 5915047	A	22-06-1999	NONE			
US 4930861	A	05-06-1990	NONE			
EP 0732846	A	18-09-1996	DE DE ES WO JP JP KR US	69429014 D1 69429014 T2 2167412 T3 9515055 A1 3312974 B2 7147649 A 240133 B1 5995137 A		13-12-2001 11-07-2002 16-05-2002 01-06-1995 12-08-2002 06-06-1995 15-01-2000 30-11-1999
US 2004036792	A1	26-02-2004	DE FR	10338248 A1 2843810 A1		04-03-2004 27-02-2004
JP 63102589	A	07-05-1988	NONE			
JP 4339489	A	26-11-1992	JP	2811996 B2		15-10-1998